### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Adeela Kamal et al.

Serial Number: 10/538,687

Filing Date: June 10, 2005

Title: Cytotoxins and Diagnostic Imaging Agents
Comprising H5P90 Liganos

Electronically filed on March 21,20% by

Mail Stop IDS Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir

Applicants hereby submit an Information Disclosure Statement along with attached forms PTO/SB/08A and B. A copy of each listed publication is being submitted, if required, pursuant to 37 C.F.R. \$81,97-1.98, as indicated below.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicants further request that the Examiner initial and return the attached forms PTO/SB/08A and B in accordance with MPEP 8609.

Applicants reserve the right to establish the patentiability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

⊠ becaus		R §1.976	b). This Information Disclosure Statement should be considered by the Office
		(1)	It is being filed within 3 months of the application filing date of a national application and is other than a continued prosecution application under §1.53(d);  — OR
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	$\boxtimes$	(3)	It is being filed before the mailing date of the first Office Action on the merits; OR
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	specific office a closes	ed in 37 ( action un prosecut	). Although this Information Disclosure Statement is being filed after the period CFR §1.97(b), above, it is filed before the mailing date of the cartier of (1) a final fer §1.11s, (2) a notice of allowance under §1.11s, (c) an action that otherwise on on the merits, this Information Disclosure Statement should be considered ompanied by one of:
		a certifi	cation as specified in §1.97(e) provided concurrently herewith;
			\$180.00 as set forth in §1.17(p) authorized below, enclosed, or included with the t of other papers filed together with this statement.
	date of §1.311	f the earl	7. Although this Information Disclosure Statement is being filed after the mailing ier of (1) a final office action under §1.113 or (2) a notice of allowance under ing filed before payment of the issue fee and should be considered because it is:
	A.	a certifi	cation as specified in §1.97(e); and
	B.		\$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with ment of other papers filed together with this Statement.
			<ul> <li>A certification signed by an Attorney of Record is provided herewith as 37 CFR §§1.97(b) and (c).</li> </ul>
$\boxtimes$	37 CF1	R §1.98(a	2)(2). The content of the Information Disclosure Statement is as follows:
		Copies herewit	of each of the references listed on the attached Form PTO/SB/08A are enclosed h.
			of U.S. Patent Documents (issued patents and patent publications) listed on the Form PTO/SB/08A are NOT enclosed.
			AND/OR
	$\boxtimes$		of Foreign Patent Documents and/or Non Patent Literature Documents listed on ched Form PTO/SB/08A are enclosed in accordance with 37 CFR §1.98(a)(2).
	_		AND/OR
			of pending unpublished U.S. patent applications are enclosed in accordance with §1.98(a)(2)(iii).

		Pursuant to 37 CFR §1.98(a)(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith.
		Pursuant to 37 CFR $\S1.98(a)(3)(ii)$ , a copy of a translation of the non-English language reference(s) is provided herewith
		ed are copies of search report(s) from corresponding patent application(s), submitted in since with MPEP 609 D in support of the attached certification under $37  \text{CFR}  \S 1.97 (\text{e})(1)$ .
⊠	of \$0.	thorization. The Commissioner is hereby authorized to charge the above-referenced fees 00 and charge any additional fees or credit any overpayment associated with this mication to Deposit Account No. 23-2415 (Docket No. 23983-716.832).
		Respectfully submitted,
		WILSON SONSINI GOODRICH & ROSATI

Reg. No. 43,601

37 CFR §1.98(a)(3). The Information Disclosure Statement includes non-English patents and/or

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INFORMATION DISCLOSURE			LOSURE	Filing Date	June 10, 2005	
	STATEMENT BY APPLICANT			First Named Inventor	Adcela Kamal et al.	
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				Examiner Name	Not Yet Assigned	
Sheet	1	of	7	Attorney Docket Number	23983-716.831	

#### U.S. PATENT DOCUMENTS

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where	
Initials*	Ng.1	Number-Kind Code <sup>2</sup> (if known)	MM-ED-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
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# FOREIGN PATENT DOCUMENTS

Initials*	No.1	County Cold - Number - Kind Cold (Wilsone)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Pigares Appear	T <sup>e</sup>
	1	WO-03-072794 A1	09-04-2003	Upjohn Co.		т
	2	WO-03-066005 A2	08-14-2003	Conforma Therapeutics		т
	3	WO-03-050295 A2	06-19-2003	Conforma Therapeutics		т
	4	WO-03-041643 A2	05-22-2003	Conforma Therapeuties		Т
	5	WO-03-037860 A2	05-08-2003	Conforma Therapeutics		Т
	6	WO-03-026571 A2	04-03-2003	Conforma Therapeutics		П
	7	WO-02-094196 A2	11-28-2002	Sloan Kettering		Т
	8	WO-02-069900 A2	09-12-2002	Conforma Therapeutics		т
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	10	WO-02-036171 AI	05-10-2002	Sloan Kettering		т
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	12	WO-02-02123 A1	01-10-2002	Trustees of Boston U.		Т
	13	WO-01-72779 A1	10-01-2001	Duke U.		Т
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	15	WO-98-051702 A1	11-19-1998	Sloan Kettering		Т
	16	WO-93-14215 A1	07-22-1993	Pfizer Inc.		Т

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Substitute 1	or form 14	49/PTO		Application Number	10/538,687	
			LOSURE	Filing Date	June 10, 2005	
STATEMENT BY APPLICANT (Use as many sheets as necessary)				First Named Inventor	Adcela Kamal et al.	
			ressary)	Art Unit	Not Yet Assigned	
				Examiner Name	Not Yet Assigned	
Sheet	7	of	7	Attorney Docket Number	23983-716.832	

	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the					
Examiner Initials*	Cite No.1	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>			
	17	AUSUBEL et al., <u>Current Protocols in Molecular Biology</u> , John Wiley & Sons, NY 1994				
	18	BAGATELL, R. et al., "Induction of a Heat Shock Factor 1-dependent Stress Response Alters the Cytotoxic Activity of Hsp-90-binding Agents," Clinical Cancer Res., Aug. 2000, Vol. 6, pp.3312- 3318				
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Substitute fi	Substitute for form 1449/PTO			Application Number	10/538,687	
			LOSURE	Filing Date	June 10, 2005	
	STATEMENT BY APPLICANT			First Named Inventor	Adeela Kamal et al.	
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				Examiner Name	Not Yet Assigned	
Sheet	3	of	7	Attorney Docket Number	23983-716.832	

		NON PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the	
Examiner Initials*	Cite No.1	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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		NON PATENT LITERATURE DOCUMENTS	
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signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is an conformance with MPEP 609. Draw line through extation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	61	SCHULTE et al., Biochem. Biophys. Res. Commun. 239:655-9 (1997)	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			CLOSURE	Filing Date	June 10, 2005
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Sheet	7	of	7	Attorney Docket Number	23983-716.832

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	72	WHITESELL et al., PNAS USA 91:8324-8328 (1994)	
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